

0590 #

FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP
600 CONGRESS AVENUE, SUITE 2400
AUSTIN, TEXAS 78701

TELEPHONE: 512/474-5201
FACSIMILE: 512/536-4598

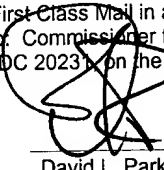
DAVID L. PARKER
PARTNER

INTERNET ADDRESS:
DPARKER@FULBRIGHT.COM

DIRECT DIAL: 512/536-3055

HOUSTON
WASHINGTON, D.C.
AUSTIN
SAN ANTONIO
DALLAS
NEW YORK
LOS ANGELES
MINNEAPOLIS
LONDON
HONG KONG



CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date below:	
May 29, 2001	
Date	David L. Parker

May 29, 2001

FILE: UTSC:607USC1

Commissioner for Patents
Washington, DC 20231

RE: *SN 09/840,722 "COMBINATORIAL OLIGONUCLEOTIDE PCR: A METHOD FOR RAPID, GLOBAL EXPRESSION ANALYSIS" - Michael C. MacLeod, C. Marcelo Aldaz and Sara Gaddis (Client Reference: IDR98:011)*

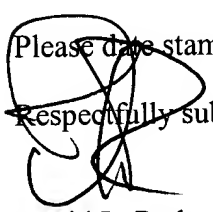
Sir:

Enclosed for filing in the above-referenced patent application is an Information Disclosure Statement and Form PTO-1449.

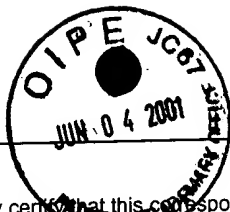
No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Commissioner is hereby authorized to deduct said fees from Fulbright & Jaworski Deposit Account No.: 50-1212/10103571/DLP.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,


David L. Parker
Reg. No. 32,165

DLP/cas
Encl: as noted



37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage for First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date below:

May 29, 2001
Date


David L. Parker

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael C. MacLeod, Sara S. Gaddis and C.

Marcelo Aldaz

Serial No.: 09/840,722

Filed: April 23, 2001

For: COMBINATORIAL
OLIGONUCLEOTIDE PCR: A METHOD
FOR RAPID, GLOBAL EXPRESSION
ANALYSIS

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: UTSC:607USC1/DLP

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record.

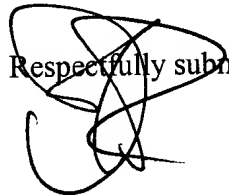
In accordance with 37 C.F.R §§ 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from Fulbright & Jaworski Deposit Account No.: 50-1212/10103571/DLP.

This application is a continuation application of Serial No. 09/414,847, filed October 8, 1999 and is relied upon for an earlier filing date under 35 U.S.C. § 120. In accordance with Rule 37 C.F.R. § 1.98(d) copies of the listed documents are not enclosed as they have been previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. 09/414,847.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



David L. Parker
Reg. No. 32,165

Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: May 29, 2001



Form PTO-1449 (modified)

Atty. Docket No.

UTSC:607USC1/DLP

Serial No.

09/840,722

List of Patents and Publications of Applicant's

Applicant

Michael C. MacLeod, C. Marcelo Aldaz, Sara Gaddis

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Filing Date:

April 23, 2001

Group:

Unknown

U.S. Patent Documents

See Page 1

Foreign Patent Documents

See Page 1

Other Art

See Page 1

U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	5,866,330	02/02/99	Kinzler <i>et al.</i>	436	6	10/18/95
	A2	5,874,215	02/23/99	Kuiper <i>et al.</i>	435	6	01/16/96
	A3	5,871,697	02/16/99	Rothberg <i>et al.</i>	422	68.1	10/24/95

Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	0 534 858 A1	09/24/92	Europe			
	B2	WO 98/08981	03/05/98	PCT			

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	Adams <i>et al.</i> , "Rapid cDNA sequencing (expressed sequence tags) from a directionally cloned human infant brain cDNA library," <i>Nat Genet</i> , 4:373-80, 1993
	C2	Bachem <i>et al.</i> , "Visualization of differential gene expression using a novel method of RNA fingerprinting based on AFLP: analysis of gene expression during potato tuber development," <i>The Plant Journal</i> , 9:745-753, 1996.
	C3	Bertioli <i>et al.</i> , "An analysis of differential display shows a strong bias towards high copy number mRNAs," <i>Nucleic Acids Res.</i> , 23:4520-3, 1995
	C4	DeRisi <i>et al.</i> , "Use of a cDNA microarray to analyse gene expression patterns in human cancer," <i>Nature Genetics</i> , 14:457-460, 1996.
	C5	Habu <i>et al.</i> , "Amplified Restriction Fragment Length Polymorphism-based mRNA fingerprinting using a single restriction enzyme that recognizes a 4-bp sequence," <i>Biochemical and Biophysical Research Communications</i> , 234:516-521, 1997.
	C6	Hedrick <i>et al.</i> , "Sequence relationships between putative T-cell receptor polypeptides and immunoglobulins," <i>Nature</i> , 308:153-158 1984.

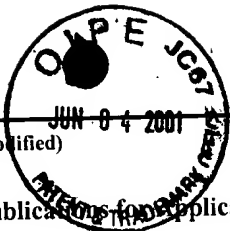
25033663.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

Form PTO-1449 (modified)



List of Patents and Publications for Applicant's

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Atty. Docket No.

UTSC:607USC1/DLP

Serial No.

09/840,722

Applicant

Michael C. MacLeod, C. Marcelo Aldaz, Sara Gaddis

Filing Date:

April 23, 2001

Group:

Unknown

U.S. Patent Documents

See Page 1

Foreign Patent Documents

See Page 1

Other Art

See Page 1

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C7	Hsieh <i>et al.</i> , E2F1-induced apoptosis requires DNA binding but not transactivation and is inhibited by the retinoblastoma protein through direct interaction," <i>Genes Dev.</i> , 11:1840-1852, 1997.
	C8	Ito <i>et al.</i> , "Flourescent differential display: arbitrarily primed RT-PCR fingerprinting on an automated DNA sequencer," <i>FEBS Lett.</i> , 351:231-236, 1994.
	C9	Ivanova and Belyavsky, "Identification of differentially expressed genes by restriction endonuclease-based gene expression fingerprinting, 23:2954-2958, 1995.
	C10	Liang and Pardee, "Differential display of eukaryotic messenger RNA by means of the polymerase chain reaction," <i>Science</i> , 257:967-971, 1992.
	C11	MacLeod <i>et al.</i> , "Binding of the transcription factor, Sp1, to non-target sites in DNA modified by benzo[a]pyrene diol epoxide," <i>Carcinogenesis</i> 16:975-983, 1995.
	C12	MacLeod <i>et al.</i> , "Interference of benzo[a]pyrene Diol epoxide-deoxyguanosine adducts in a GC box with binding of the transcription factor Sp1," <i>Mol. Carcinogenesis</i> 16:44-52, 1996.
	C13	MacLeod, "A possible role in chemical carcinogenesis for epigenetic, heritable changes in gene expression," <i>Mol. Carcinogenesis</i> 15:241-250, 1996.
	C14	Money <i>et al.</i> , "AFLP-based mRNA fingerprinting," <i>Nucleic Acids Research</i> , 24:2616-2617, 1996.
	C15	Okubo <i>et al.</i> , "Large scale cDNA sequencing for analysis of quantitative and qualitative aspects of gene expression," <i>Nat Genet.</i> , 2:173-179, 1992.
	C16	Pierce <i>et al.</i> , "Deregulated expression of E2F1 induces hyperplasia and cooperates with <i>ras</i> in skin tumor development," <i>Oncogene</i> , 16:1267-1276, 1998.
	C17	Pierce <i>et al.</i> , "Increased E2F1 activity induces skin tumors in mice heterozygous and nullizygous for p53," <i>Proc. Nat'l Acad. Sci. USA</i> , 95:8858-8863, 1998.
	C18	Schena <i>et al.</i> , "Quantitative monitoring of gene expression patterns with a complementary DNA microarray," <i>Science</i> , 270:467-470, 1995.
	C19	Shimkets <i>et al.</i> , "Gene expression analysis by transcript profiling coupled to a gene databank query," <i>Nat Biotechnol.</i> 17:798-803, 1999.

25033663.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

Form PTO-1449 (modified)		Atty. Docket No. UTSC:607USC1/DLP	Serial No. 09/840,722
List of Patents and Publications for Applicant's INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		Applicant Michael C. MacLeod, C. Marcelo Aldaz, Sara Gaddis	
		Filing Date: April 23, 2001	Group: Unknown
U.S. Patent Documents See Page 1	Foreign Patent Documents See Page 1	Other Art See Page 1	

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C20	Song and Osborn, "A method for examining expression of homologous genes in plant polyploids," <i>Plant Mol Biol.</i> 26:1065-1071, 1994.
	C21	Stone and Wharton, "Targeted RNA fingerprinting: the cloning of differentially-expressed cDNA fragments enriched for members of the zinc finger gene family," <i>Nucleic Acids Res.</i> , 22:2612-2618, 1994.
	C22	Velculescu <i>et al.</i> , "Characterization of the yeast transcriptome," <i>Cell</i> , 88:243-251, 1997.
	C23	Velculescu <i>et al.</i> , "Serial analysis of gene expression," <i>Science</i> , 270:484-487, 1995.
	C24	Vos <i>et al.</i> , "AFLP: a new technique for DNA fingerprinting," <i>Nucleic Acids Research</i> , 23:4407-4414, 1995.
	C25	Wang and Feuerstein, "Direct Sequencing of DNA isolated from mRNA differential display," <i>Biotechniques</i> , 18:448-453, 1995.
	C26	Wang <i>et al.</i> , "Rapid analysis of gene expression (RAGE) facilitates universal expression profiling," <i>Nucleic Acids Research</i> , 27(23):4609-4618, 1999.
	C27	Zhang <i>et al.</i> , "Gene expression profiles in normal and cancer cells," <i>Science</i> , 276:1268-1272, 1997.

25033663.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)